IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 8923 of 2007(K)

PETITIONER:

C.ACHUTHAN NAIR, 70 YEARS,
S/O.K.GOPALAN NAIR, PERUMTHOTTUMANNIL (H),
UNNIKULAM (P.O), KOZHIKODE(DT) 673 574.

BY ADV. SRI.TOMY JOHN VETTATH

RESPONDENTS:

---

1. STATE OF KERALA, REP. BY
THE CHIEF SECRETARY, SECRETARIATE,
THIRUVANANTHAPURAM.

2. EXECUTIVE ENGINEER, HYDROLOGY DIVISION,
CHEMBUKKAV, TRICHUR - 20.

3. THE ASSISTANT ENGINEER,
HYDROLOGY SECTION,
KOZHIKODE.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 8923 of 2007

Dated this the 16th day of March, 2007

JUDGMENT

The petitioner retired from service in the year 1994. It appears that before his retirement, he had made a claim that the service rendered from 16.4.1958 to 1.10.1967 also shall be reckoned for all service benefits. But what transpired thereafter is not clearly known. It would appear that the above claim made by the petitioner was not pursued for a period of twelve years. The conduct of the petitioner is nothing but lethargy and indifference.

2. Now, producing Ext.P4 representation filed on 2.3.1994, the petitioner is attempting to invoke the writ jurisdiction of this Court to resurrect a claim which pertains to the period from 24.3.1958 to 1.10.1967.

3. I feel that what is projected is a stale claim and it may not be proper for this Court to entertain a writ petition of this

nature in the exercise of its discretionary jurisdiction under Article 226 of the Constitution of India. The writ petition is, therefore, dismissed.

K.K.DENESAN, JUDGE

CSS

s